
Introduced by Senator Lowenthal
(Coauthor: Assembly Member Allen)

February 17, 2011

An act to amend Section 42885.5 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 589, as introduced, Lowenthal. Solid waste: tire recycling.

The California Tire Recycling Act imposes a California tire fee on a new tire purchased in the state and the revenue generated from the fee is deposited in the California Tire Recycling Management Fund for expenditure, upon appropriation by the Legislature, by the Department of Resources Recycling and Recovery. The department is required to expend these funds in a manner consistent with the 5-year plan that the department is required to adopt and update biennially, to establish goals and priorities for the waste tire program.

This bill would require the 5-year plan to reflect the priorities for waste reduction and recycling specified in the California Integrated Waste Management Act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 42885.5 of the Public Resources Code
- 2 is amended to read:
- 3 42885.5. (a) ~~The board~~ *department* shall adopt a five-year
- 4 plan, which shall be updated every two years, to establish goals
- 5 and priorities for the waste tire program and each program element.

1 *The five-year plan shall reflect the priorities for waste reduction*
2 *and recycling specified in Section 40051.*

3 (b) On or before July 1, 2001, and every two years thereafter,
4 the ~~board~~ department shall submit the adopted five-year plan to
5 the appropriate policy and fiscal committees of the Legislature.
6 The ~~board~~ department shall include in the plan, programmatic and
7 fiscal issues including, but not limited to, the hierarchy used by
8 the ~~board~~ department to maximize productive uses of waste and
9 used tires, and the performance objectives and measurement criteria
10 used by the ~~board~~ department to evaluate the success of its waste
11 and used tire recycling program. Additionally, the plan shall
12 describe each program element's effectiveness, based upon
13 performance measures developed by the ~~board~~ department,
14 including, but not limited to, the following:

15 (1) Enforcement and regulations relating to the storage of waste
16 and used tires.

17 (2) Cleanup, abatement, or other remedial action related to waste
18 tire stockpiles throughout the state.

19 (3) Research directed at promoting and developing alternatives
20 to the landfill disposal of waste tires.

21 (4) Market development and new technology activities for used
22 tires and waste tires.

23 (5) The waste and used tire hauler program and manifest system.

24 (6) A description of the grants, loans, contracts, and other
25 expenditures proposed to be made by the ~~board~~ department under
26 the tire recycling program.

27 ~~(7) Until June 30, 2010, the grant program authorized under~~
28 ~~Section 42872.5 to encourage the use of rubberized asphalt concrete~~
29 ~~technology in public works projects.~~

30 ~~(8)~~

31 (7) Border region activities, conducted in coordination with the
32 California Environmental Protection Agency, including, but not
33 limited to, all of the following:

34 (A) Training programs to assist Mexican waste and used tire
35 haulers to meet the requirements for hauling those tires in
36 California.

37 (B) Environmental education training.

38 (C) Development of a waste tire abatement plan, with the
39 appropriate government entities of California and Mexico.

1 (D) Tracking both the legal and illegal waste and used tire flow
2 across the border and recommended revisions to the waste tire
3 policies of California and Mexico.

4 (E) Coordination with businesses operating in the border region
5 and with Mexico, with regard to applying the same environmental
6 and control requirements throughout the border region.

7 (F) Development of projects in Mexico in the California-Mexico
8 border region, as defined by the La Paz Agreement, that include,
9 but are not limited to, education, infrastructure, mitigation, cleanup,
10 prevention, reuse, and recycling projects, that address the
11 movement of used tires from California to Mexico that are
12 eventually disposed of in California.

13 (c) The ~~board~~ *department* shall base the budget for the California
14 Tire Recycling Act and program funding on the plan.

15 (d) The plan may not propose financial or other support that
16 promotes, or provides for research for, the incineration of tires.